

RESPONSE TO DETAILED ACTIONS:

RE: Application No. 10/603,908

As to the reason claims 1-3, 5-9 and 12 were rejected:

The Neviaser positioning device is designed to maintain an infant on its side by means of two straps holding the pads. Neviaser explicitly states that his positioner is designed to keep the infant on its side and not on its stomach or back, col. 1, lines 27-30. I am applying for a patent that would maintain an infant on its back. My infant sleep support (here after Babynappers) is unique in that Neviaser does not claim:

A. Snaps as a means to secure the bolsters in place.

B. Neviasers' design is to support an infant on its side, col. 1, lines 29-30, where as Babynappers is designed to maintain the infant on its back between the movement restrictors.

C. Neviasers' device also uses an outer belt, whereas, Babynappers does not. Also, the design of the bolsters are different. Neviasers' bolsters have Velcro attached to its base directly and a loop on its opposite end. The purpose of this loop is to fit the outer belt thru it. Whereas, the Babynapper has a loop with snaps attached to it. The purpose of this is to that the installer would have the ability to put their fingers behind the snaps in order to secure the bolster securely to the belt.

D. McGrath-Saleh designed a device for premature born infants, whereas Babynappers is designed for 0 to 12 months. In addition, the McGrath-Saleh device is designed to keep the premature infant on its stomach, col. 3, lines 20-23. The Babynapper

is designed to position the infant on its back.

E. McGrath-Saleh do not disclose a clothing article (19). They describe it as a harness, col. 8, lines 5-8.

It will be obvious that the McGrath-Saleh device is designed to keep a premature infant on its stomach and the Neviasers device is designed to keep an infant on its side. Also, McGrath-Saleh do not describe any articles of clothing. They describe a harness device. (I do not think that premature babies can wear clothes).

2. As to reasons why claims 4, 10 and 11 were rejected.

A. Wilkenson discloses in essence an inflatable mattress for infants. It is not an infant positioning device and cannot be referred to as one. In the abstract on the front page, Wilkenson describes his device as an inflatable wall structure designed to provide a cushioned barrier. How would Neviaser (an infant positioning device) infer from Wilkenson (a mattress barrier device)?

In summary, Babynappers is an infant sleep positioning device designed to keep an infant, ages 0-12 months on its back by means of a belt and bolsters or infant sleepwear with bolsters. The bolsters have the option of being inflatable. The bolsters are connected by means of a snap system.